

# EXHIBIT J

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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
 Plaintiff,  
 v.  
 MARCUS WHITFIELD,  
 Defendant.

No. CR 07-0366 VRW

**DECLARATION OF POLICE  
 OFFICER CHAD CAMPOS IN SUPPORT  
 OF UNITED STATES' OPPOSITION  
 TO DEFENDANT'S MOTION TO  
 SUPPRESS PHYSICAL EVIDENCE**

Hearing: August 28, 2007  
 Time: 10:30 a.m.  
 Court: Hon. Vaughn R. Walker

I, Officer Chad Campos, do hereby declare:

1. I have been employed by the City and County of San Francisco as a San Francisco Police for eleven (11) years.
2. On April 29, 2007, while on duty, I conducted a probation search at the residence of 1855 Sunnydale Avenue, San Francisco, CA., regarding a Probationer named Marcus Whitfield.

- 1 3. A computer check confirmed that Mr. Whitfield was on felony probation and subject to a  
2 warrantless search condition.
- 3 4. Mr. Whitfield's home address of 1855 Sunnydale Avenue, San Francisco, CA., was on  
4 file with the San Francisco Probation Department and was reflected in Mr. Whitfield's  
5 criminal history.
- 6 5. On April 29, 2007 at approximately 8:15 p.m. the following police officers were present  
7 at 1855 Sunnydale Avenue, San Francisco, CA.: myself, Officer Reboli, Officer Trail  
8 and Officer Kobold. All four of us were dressed in San Francisco Police Department  
9 police uniforms.
- 10 6. Myself and Officer Reboli were located at the front door of the residence stated above.  
11 Officer Trail and Officer Kobold were located at the back door of the residence.
- 12 7. Upon knocking on the front door to the residence, I observed a female, later identified as  
13 Donecia Colvin, pop her head out of the upstairs window of the residence.
- 14 8. I asked Ms. Colvin if she could do me a favor and come to the front door and talk to us.  
15 Ms. Colvin responded, "yeah, ok."
- 16 9. Moments later, Ms. Colvin opened up the front door and was standing on the stoop, while  
17 myself and Officer Reboli stood on the front stairs.
- 18 10. At no time either outside of the residence or inside of the residence, did I or any other  
19 police officer have our hands on our firearms or display our firearms. Our firearms  
20 remained holstered.
- 21 11. For approximately 10 minutes I had a conversation with Ms. Colvin regarding the  
22 whereabouts of her parents because she looked like a minor. I asked Ms. Colvin if her  
23 mom and dad were at home. Ms. Colvin replied, "no, they're not here."
- 24 12. I asked Ms. Colvin if there was a way to get a hold of her parents. Ms. Colvin replied, "I  
25  
26

1 can't get a hold of my mom and my dad lives in Hunters Point.

2 13. I asked Ms. Colvin how she gets a hold of her mom. Ms. Colvin replied, "I don't know  
3 her phone number." Ms Colvin also stated, "sometimes she stays out 2-3 days at a time"  
4 and "people come and go out of the house."

5  
6 14. I asked Ms. Colvin if she knows Marcus Whitfield. Ms. Colvin replied, "yeah, he's my  
7 brother."

8 15. I asked Ms. Colvin if Marcus Whitfield sleeps at the residence. Ms. Colvin stated, "he  
9 sleeps in a room upstairs," and pointed upward with her finger.

10 16. I informed Ms. Colvin the reason why we are at the house was because we received  
11 information that there might be a gun in the house.

12  
13 17. I then asked Ms. Colvin if she would mind showing me where Marcus sleeps. Ms.  
14 Colvin replied, "come on I'll show you," and then walked up the stairs leading us to the  
15 next level of the house. Officer Robeli and myself followed Ms. Colvin up the stairs.

16 18. Ms. Colvin led me into a bedroom and said, "this is where he sleeps." There was only  
17 one bed in the bedroom.

18 19. I asked Ms. Colvin if she could do me a favor and pick up the mattress. Ms. Colvin  
19 replied, "Oh, ok," and lifted up the bed mattress.

20  
21 20. Ms. Colvin never refused or declined to lift up the mattress.

22 21. Upon Ms. Colvin lifting up the mattress, I observed a firearm and a loaded magazine  
23 laying next to the firearm underneath the mattress.

24 22. The firearm was an Intratec Tec-9 9mm submachine gun.

25 23. Ms. Colvin acted surprised to see the gun and said, "Oh!"

26  
27 24. The majority of the clothes in the bedroom were adult male clothing and there was also  
28 smaller boy clothes. There were mens cologne on the dresser and gang signs on the

1 dresser mirror.

2 25. After the firearm and loaded magazine were discovered, I asked Ms. Colvin who stays in  
3 the bedroom where the firearm was found. Ms. Colvin replied, "Marcus and my 11 year  
4 old brother stay there."

5 26. Ms. Colvin provided contact information for her father, Duane Colvin, who was  
6 contacted by Officers and informed of what was going on at the residence. Officers  
7 picked up Duane Colvin from his residence and brought him to the residence at 1855  
8 Sunnydale Avenue, San Francisco, CA.

9 27. Duane Colvin provided Officers with Ms. Colvin's mother's telephone number.

10 28. Duane Colvin stated to officers, "Marcus stays here once in awhile." Duane Colvin was  
11 referring to 1855 Sunnydale Avenue, San Francisco, CA.

12 29. Officers made three attempts to contact Ms. Colvin's mother on the telephone number  
13 provided by Duane Colvin. On the third attempt, Officer Reboli talked to Ms. Colvin's  
14 mother on the phone and informed her of what was happening at her residence. Ms.  
15 Colvin's mother told Officer Reboli to "Fuck Off," and the conversation ended.

16 30. During the Probation search of the residence there were two Police Officers upstairs and  
17 two Police Officers downstairs.

18 31. Officers were inside of the residence at 1855 Sunnydale Avenue, San Francisco, CA for  
19 less than 30 minutes.

20 32. Ms. Colvin was helpful and cooperative with officers. Ms. Colvin was never upset and  
21 understood everything that was occurring.

1 I declare under penalty of perjury that the foregoing is true and correct.

2   
3

4 Officer Chad Campos, Star #89

5 Dated: 7-25-07  
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